IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1310 OF 2006

in

CRIMINAL APPEAL NO. 388 OF 2005

Shantidevi W/o. Raghuvir Singh Dhimar ..Applicant
(Org.accused No.2)

Vs.

State of Maharashtra ..Respondent

Mr. Arfan Sait Advocate appointed, for applicant.
Mrs. S.V.Gajare, APP, for State.

CORAM: J.H.BHATIA,J.

DATE : 15th June, 2007.

P.C.

1. Heard Mr. Sait, learned Advocate appointed for the applicant, who is in jail and Mrs. Gajare, APP.

2. The present Applicant is the original accused No.2. She, along with two other accused, was convicted for the offences punishable under Section 392 read with Section 397, 399, 186, 332 and 353 read with Sec. 34 I.P.C. and sentence of varying terms was awarded for the said offences. The maximum sentence awarded is R.I.

for 7 years with fine. The applicant was arrested in September, 2002 and since then she is in jail. Thus, the applicant, who is a woman, has almost completed 5 years in jail, while the total sentence awarded to her is R.I. for 7 years. The other two accused are already granted bail. The record reveals that the stolen property was recovered from the person of applicant when she was sitting in a car. However, she has not been identified as one of the persons, who had committed the offence at the relevant time. Taking into consideration these facts, I am inclined to grant bail to her.

3. The applicant be released on bail on her executing P.R. Bond of Rs.25,000/- with one or more sureties to make up the said amount. During the pendency of the Appeal, she shall report at Yeola Police Station on every alternate Sunday.

4. A copy of this order be sent to the District Prison, Dhule, for necessary action.

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(J.H.BHATIA,J.)